

REMARKS

The Office Action mailed July 24, 2006 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 7, 9-16, 19-23 and 27-29 are now pending in this application. Claims 7, 12 and 14-26 stand rejected. Claims 8-11 and 13 are objected to. Claims 8, 17, 18 and 24-26 are canceled. Claims 27-29 are newly added. A fee calculation sheet for the newly added claims along with authorization to charge a deposit account in the amount of the calculated fee is submitted herewith.

Independent Claim 7 has been amended to include all of the limitations of dependent Claim 8, which the Examiner indicated included allowable subject matter.

Newly added Claim 27 includes all of the limitations of dependent Claim 13, which the Examiner indicated included allowable subject matter, and the base claim.

Newly added Claim 28 includes all of the limitations of dependent Claim 18, which the Examiner indicated included allowable subject matter, and the base claim.

Newly added Claim 29 includes all of the limitations of dependent Claim 26, which the Examiner indicated included allowable subject matter, the base claim and the intervening claim.

The rejection of Claims 17-26 under 35 U.S.C. § 112 is respectfully traversed.

In view of the cancellation of independent Claims 17 and 24 and the addition of new independent Claims 28 and 29 such basis of rejection is believed to have been obviated or rendered no longer applicable to the pending claims.

For the reasons set forth above, Applicant respectfully requests that the Section 112 rejection of Claims 17-26 be withdrawn.

The rejection of Claims 7, 12, 14-17, 19 and 21-25 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 998,915 to McMillin (hereinafter referred to as "McMillin") is respectfully traversed.

McMillin describes a knockdown cottage having support bars (11) that are connected to horizontal bars (12) of the side wall by an arm (13) having a loose slot and pin connection (14). As a result, the arm (13) may be swung upwardly springing the center of bar (11) with it to compensate for shrinkage of the fly roof.

Claim 7 recites a tent comprising “a fabric enclosure forming a plurality of walls and defining an interior of said tent; a frame positioned with respect to said fabric enclosure and configured to support said fabric enclosure; a first plurality of eve portions each coupled to said frame and extending outwardly from a first wall of said plurality of walls; a second plurality of eve portions each coupled to said frame and extending outwardly from a second wall of said plurality of walls; and a cover coupled to said frame and each said eve portion, said cover configured to cover at least a portion of said fabric enclosure, each said eve portion coupled to a first frame member of said frame, and at least a portion of each said eve portion aligned coaxially with said first frame member.”

McMillin does not describe or suggest a tent, as recited in Claim 7. More specifically, McMillin does not describe or suggest “a first plurality of eve portions each coupled to said frame and extending outwardly from a first wall of said plurality of walls; a second plurality of eve portions each coupled to said frame and extending outwardly from a second wall of said plurality of walls; ... each said eve portion coupled to a first frame member of said frame, and at least a portion of each said eve portion aligned coaxially with said first frame member,” as required by Applicant’s claimed invention. Rather, in contrast to the present invention, McMillin describes a knockdown cottage having an arm (13) that swings upwardly to compensate for shrinkage of the fly roof.

Accordingly, for at least the reasons set forth above, Claim 7 is submitted to be patentable over McMillin.

Claims 12 and 14-16 depend, directly or indirectly, from independent Claim 7. When the recitations of Claims 12 and 14-16 are considered in combination with the recitations of Claim 7, Applicant submits that dependent Claims 12 and 14-16 likewise are patentable over McMillin.

Claims 17, 18, 24 and 25 have been canceled. Claims 19-23 depend, directly or indirectly, from newly added Claim 28. Newly added Claim 28 includes all of the limitations of dependent Claim 18, which the Examiner indicated included allowable subject matter, and the base claim.

Accordingly, for at least the reasons set forth above, newly added Claim 28 is submitted to be patentable over McMillin.

Claims 19 and 21-23 depend, directly or indirectly, from independent Claim 28. When the recitations of Claims 19 and 21-23 are considered in combination with the recitations of Claim 28, Applicant submits that dependent Claims 19 and 21-23 likewise are patentable over McMillin.

For the reasons set forth above, Applicant respectfully requests that the Section 102 rejection of Claims 7, 12, 14-17, 19 and 21-25 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,

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